

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.: _____
v.	:	DATE FILED: _____
TERRY SMITH,	:	VIOLATIONS:
a/k/a "Jameel Carter," Amin," "Ockie"	:	21 U.S.C. § 846 (Conspiracy to
KEVIN PRECCIA,	:	distribute and possess with intent to
a/k/a "Donta Jordon," "Stacks"	:	distribute cocaine base
NAIM KING,	:	- 1 count)
a/k/a "Juan Anthony," "Ish"	:	21 U.S.C. § 841(a)(1) (Possession of
ANTHONY SHARPE	:	of cocaine base with intent
a/k/a "Rico"	:	to distribute - 1 count)
	:	18 U.S.C. § 924(c) (Possession of firearm
	:	in furtherance of drug trafficking crime
	:	- 2 counts)
	:	18 U.S.C. § 922(g)(1) (Possession of a
	:	firearm by a felon - 1 count)
	:	18 U.S.C. § 2 (Aiding and abetting)
	:	18 U.S.C. § 924(d) and 28 U.S.C. §2461(c)
		(Notice of forfeiture)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

From at least in or about April 2002 through on or about January 16, 2003, at Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, and elsewhere, defendants

TERRY SMITH,
 a/k/a "Jameel Carter," "Amin," "Ockie"
KEVIN PRECCIA,
 a/k/a "Donta Jordon," "Stacks"
NAIM KING,
 a/k/a "Juan Anthony," "Ish"
ANTHONY SHARPE,
 a/k/a "Rico"

did conspire and agree together, and with other persons both known and unknown to the grand

jury, to knowingly and intentionally distribute and possess with intent to distribute in excess of 50 grams of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

MANNER AND MEANS

1. It was part of the conspiracy that defendant TERRY SMITH headed an organization that distributed crack cocaine on the 1600 block of S. Frazier Street in Philadelphia, Pennsylvania.

It was further part of the conspiracy that:

2. Defendant TERRY SMITH and the individuals who worked with him used a home located in the 1600 block of S. Frazier as a base of Smith’s drug operations. They stored bundles of cocaine base (“crack”), money, and firearms in the home. Defendant TERRY SMITH also used the home as protection from competing drug dealers who might use violence in an attempt to take over Smith’s drug organization.

3. Defendant TERRY SMITH employed individuals, including juveniles, who sold the cocaine base (“crack”) in small color-tinted packets to buyers who traveled to the 1600 block of S. Frazier Street.

4. Defendant TERRY SMITH and other individuals who worked for Smith’s drug organization provided the sellers with bundles containing approximately 20 of the small color-tinted packets at a time. Defendant SMITH paid the individual sellers approximately \$25 for every bundle of cocaine base (“crack”) they sold.

5. The individuals selling cocaine base (“crack”) in the small packets worked

in shifts. During the shift, the sellers hid the bundles provided to them in abandoned houses located on the 1600 block of S. Frazier Street. When a buyer approached them with money to buy cocaine base (“crack”), the sellers retrieved the packets they sold from the abandoned houses.

6. Defendant KEVIN PRECCIA worked as an “enforcer” for the Smith drug organization, that is, he threatened to use violence and used violence to ensure that no one stole cocaine base (“crack”) and money from the organization. Defendant KEVIN PRECCIA also provided protection against competing drug dealers who might attempt to move onto the block and take over the Smith drug organization. In connection with this duty, defendant KEVIN PRECCIA carried firearms.

7. Defendant ANTHONY SHARPE assisted the Smith drug organization by distributing the bundles of cocaine base (“crack”) to the individual sellers and periodically collecting money from the sellers. Defendant ANTHONY SHARPE also picked up bundles of cocaine base (“crack”) from suppliers and from a stash house when the organization ran out of bundles of cocaine base (“crack”). ANTHONY SHARPE continued to operate the Smith drug organization on the 1600 block of S. Frazier Street after other members of the organization were arrested in or about October 2002.

8. Defendant NAIM KING worked as a seller for the Smith drug organization.

OVERT ACTS

In furtherance of the conspiracy and to effect its objects, the following overt acts, among others, were performed in the Eastern District of Pennsylvania and elsewhere:

1. On or about April 28, 2002, defendant TERRY SMITH stored bundles

containing packets of cocaine base (“crack”) and money inside a house located in the 1600 block of S. Frazier Street, Philadelphia, Pennsylvania.

2. On or about October 8, 2002, defendant TERRY SMITH placed a bundle containing multiple packets of cocaine base (“crack”) on the porch of an abandoned house located at 1626 S. Frazier Street, Philadelphia, Pennsylvania.

3. On or about October 8, 2002, defendants TERRY SMITH and NAIM KING sold packets of cocaine base (“crack”) to buyers who came to the 1600 block of S. Frazier Street. Defendants TERRY SMITH and NAIM KING retrieved the packets of cocaine base (“crack”) sold to these buyers from the porch of 1626 S. Frazier Street, an abandoned property.

4. On or about October 8, 2002, defendant KEVIN PRECCIA arrived on the 1600 block of S. Frazier Street and provided protection to the Smith drug organization.

5. On or about October 8, 2002, defendants TERRY SMITH and KEVIN PRECCIA possessed firearms in furtherance of the Smith drug organization.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 8, 2002, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

TERRY SMITH,
a/k/a “Jameel Carter,” “Amin,” “Ockie”
KEVIN PRECCIA,
a/k/a “Donta Jordon,” “Stacks”
NAIM KING,
a/k/a “Juan Anthony,” “Ish”

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 8, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**TERRY SMITH,
a/k/a “Jameel Carter,” “Amin,” “Ockie”**

knowingly possessed firearms, that is, a silver colored Taurus-Brazil, .38 caliber, serial number Ph92668, loaded with three live rounds, and an Uzi 9mm, serial number UP12454, loaded with 21 rounds, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine base (“crack”) and possession with intent to distribute cocaine base (“crack”) as charged in Counts One and Two of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 8, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**KEVIN PRECCIA,
a/k/a “Donta Jordon,” “Stacks”**

knowingly possessed a firearm, that is, a black Taurus Millennium .40 caliber handgun, serial number STD 01295 and 7 live rounds, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine base (“crack”) and possession with intent to distribute cocaine base (“crack”) as charged in Counts One and Two of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 8, 2002, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**KEVIN PRECCIA,
a/k/a “Donta Jordon,” “Stacks”**

having been convicted in the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce, a firearm, that is, a black Taurus Millennium handgun, .40 caliber handgun, serial number STD 01295 and 7 live rounds.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

As a result of the violations of Title 18 United States Code, Sections 924(c) and 922(g)(1) set forth in Counts 3, 4 and 5, of this indictment, defendants

TERRY SMITH,
a/k/a “Jameel Carter,” “Amin,” “Ockie”
KEVIN PRECCIA,
a/k/a “Donta Jordon,” “Stacks”

shall forfeit to the United States of America, pursuant to 18 U.S.C. §924(d) and 28 U.S.C. §2461(c), all firearms and ammunition involved in the commission of these offenses, including but not limited to:

(1) one silver colored Taurus-Brazil, .38 caliber handgun, serial number Ph92668, loaded with three live rounds;

(2) one black Taurus Millennium, .40 caliber handgun, serial number STD 01295 and 7 live rounds;

(3) one Uzi 9mm, serial number UP12454, loaded with 21 rounds.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

NOTICE OF PRIOR CONVICTION

THE GRAND JURY FURTHER CHARGES THAT:

Defendant KEVIN PRECCIA, a/k/a “Donta Jordon,” “Stacks,” committed the offenses charged in Counts One and Two of this Indictment after having been convicted of a felony drug offense as follows:

(1) 2001 - Manufacturing, delivery and/or possession with intent to deliver or manufacture a controlled substance - Court of Common Pleas, Philadelphia County, Pennsylvania, Common Pleas Number 9811-0085.

NOTICE OF PRIOR CONVICTIONS

THE GRAND JURY FURTHER CHARGES THAT:

Defendant NAIM KING, a/k/a “Juan Anthony,” “Ish,” committed the offenses charged in Counts One and Two of this Indictment after having been convicted of felony drug offenses as follows:

(1) 1996 - Manufacturing, delivery and/or possession with intent to deliver or manufacture a controlled substance - Court of Common Pleas, Philadelphia County, Pennsylvania, Common Pleas Number 94090670;

(2) 2000 - Manufacturing, delivery and/or possession with intent to deliver or manufacture a controlled substance - Court of Common Pleas, Philadelphia County, Pennsylvania, Common Pleas Number 9808-1142;

(3) 2000 - Manufacturing, delivery and/or possession with intent to deliver or manufacture a controlled substance - Court of Common Pleas, Philadelphia County, Pennsylvania, Common Pleas Number 98120652.

(4) 2000 - Manufacturing, delivery and/or possession with intent to deliver or manufacture a controlled substance - Court of Common Pleas, Philadelphia County, Pennsylvania, Common Pleas Number 99010143.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY